



**MINUTES
CITY COUNCIL MEETING
June 21, 2022**

CALL TO ORDER

The meeting was called to order at 6:30pm.

Present: Mayor: Charlie Miner; Council: Jahn Dyvik, Mike Feldmann, Gina Joyce, and Deirdre Kvale

Staff Present: City Administrator: Scott Weske; City Clerk Moeller; City Attorney Thames; City Engineer Reifsteck

Absent: None

PLEDGE OF ALLEGIANCE

MAYOR'S COMMENTS – LONG LAKE NEWS, MEETING REVIEW AND UPDATES

Mayor Miner noted that the Council had just finished a work session meeting where the primary topic was Fire Department matters and explained that they will touch on what was discussed during item 10 on the agenda. He reported that last Thursday there was a ground breaking and soil-melding ceremony for Zvago Long Lake. He thanked the Lions for sponsoring their annual carp fishing contest last Saturday.

APPROVE AGENDA

A motion was made by Feldmann, seconded by Dyvik, to approve the agenda as presented. Ayes: all.

CONSENT AGENDA

- A. Approve Minutes of June 7, 2022 City Council Work Session Meeting
- B. Approve Minutes of June 7, 2022 City Council Meeting
- C. Approve Vendor Claims and Payroll
- D. Adopt Resolution No. 2022-27 Accepting a Donation to the Long Lake Public Works Department of Road Salt Tolerant Grass Seed in the amount of \$450.00 from Twin City Seed Company
- E. Adopt Resolution No. 2022-28 Appointing Public Works Maintenance Worker I Alex Ebner as a Regular Employee and Approving Changing Mr. Ebner's Salary to Step 3 of the 2022 Salary Plan effective June 28, 2022
- F. Adopt Resolution No. 2022-29 Approving Issuance of Special Event Permit #2022-08 for Corn Days 2022 to be Held August 13, 2022; Approve Issuance of a Noise Variance Permit for Live Entertainment; Approve Issuance of a 1 to 4 Day Temporary On-Sale Liquor License; and Approve an Application for Exempt for Gambling Activities at Corn Days
- G. Adopt Resolution No. 2022-30 Approving Issuance of Special Event Permit #2022-09 for Buckhorn Days 2022 to be Held July 23, 2022; Approve Issuance of a Noise Variance Permit for Live Entertainment; and Approve Issuance of a t to 4 day Temporary On-Sale Liquor License
- H. Adopt Resolution No. 2022-31 Appointing Election Judges for the 2022 State Primary and General Elections and Establishing an Absentee Ballot Board

A motion was made by Dyvik, seconded by Miner, to approve the Consent Agenda, as presented. Ayes: all.

OPEN CORRESPONDENCE

Jane Davidson, 1020 Old Long Lake Road – Ms. Davidson was in attendance on behalf of the Long Lake Waters Association to update the Council on progress with this year's carp removal project. She thanked Long Lake, the City of Medina, and their donors for supporting and partnering with them on this initiative. She gave an overview of their efforts to remove carp from the Long Lake Creek area, shared information on current carp location observations, and noted that Carp Solutions was able to catch only about 70 fish from the creek location. Carp Solutions has suggested that the next plan should be to go back into the lake over the summer and early fall and once again do box netting. She reported that the Long Lake Waters Association would like to contract for box netting at up to five locations with three pulls. She reviewed the expected costs for this work and asked if the City would support these efforts as revisions to Phase 2 of the carp removal project originally proposed.

The Council discussed the carp removal efforts to date this season, the proposed locations and procedures for the box netting plans, and communicated their agreement by consensus that they supported the Long Lake Waters Association's revised plans for a Phase 2 carp removal project involving box netting.

BUSINESS ITEMS

Retirement of Firefighter Kelly Shaughnessy from the Long Lake Fire Department

Fire Chief Van Eyll reported that on June 16, 2022 Captain Kelly Shaughnessy submitted a letter of retirement from the Long Lake Fire Department. Mr. Shaughnessy has been a firefighter for the City since 1976, has been a valuable member of the Department's leadership team, and served most recently as a Senior Captain. He noted that the Department will be honoring him at a retirement banquet that will be held sometime in February of 2023.

Mayor Miner read aloud the retirement letter submitted by Mr. Shaughnessy as follows:

After 46 years of the honor of serving the LLFD coverage area and its citizens. I tender my resignation.

A few weeks after graduating from college, Lona and I bought our first home in Long Lake. My dad GT, who I just started to work for at Long Lake Ford Tractor, asked (told) me to be at the June monthly business meeting and bring a case of beer. That night, after 21 years of service, he resigned and I was voted in as a member. June 16, 2022 marks the end of over 67 years of service to LLFD and over 100 years of continuous fire service of three generations for my family. I have had the privilege of being an Officer for 3/4 of the years serving under eight different Chiefs, with nearly 50 different Line Officers, and too many fellow firefighters to count. I have worked closely with 12 different Long Lake Mayors. I wish to thank the Long Lake City Council along with the citizens we serve for always being great supporters of our Fire Department. Finally, thank you to all present and past and future members of LLFD I am proud to call you family.

Kelly Shaughnessy

Mayor Miner expressed the City's appreciation for Mr. Shaughnessy and his family's service to the Long Lake Fire Department.

A motion was made by Miner, seconded by Dyvik, to accept the retirement of Firefighter Kelly Shaughnessy from the Long Lake Fire Department. Ayes: all.

Request for Authorization to Provide 2022 Professional Services for Program Development and Implementation of the 2020 MS4 General Permit

City Engineer Reifsteck indicated that staff was requesting the Council consider awarding a contract to WSB in order to provide professional services for program development and implementation of 2020 MS4 general permit requirements. He explained that the proposed fee includes the City undertaking some of the necessary tasks in-house.

Council member Kvale asked who would be doing the work at WSB and noted that the letter had been signed by him and one other individual.

Reifsteck replied that the work would be conducted by himself and Taylor Engstrom, who is one of their environmental specialists.

Council member Joyce inquired whether the task list proposed would be recurring.

Reifsteck clarified that this is something that will happen almost every year because reports need to be submitted annually; however, not every task would need to be completed every year. He added that typically the City's MS4 permit is good for a five-year period and in this particular instance, it took the MPCA an extra two years to get the 2020 permit out. He stated that everything required of the City for its permit will need to be submitted and in place by November 16, 2022.

Council member Dyvik questioned whether the City had budgeted for this expense.

City Administrator Weske responded that the whole amount was not included in the budget, which was why they had taken a look at items that could be accomplished in house in order to bring down the total cost. He reported that the fee would be allocated to the stormwater fund.

Reifsteck reiterated that not every task listed in the table will need to be completed every year.

A motion was made by Dyvik, seconded by Miner, to award a contract to WSB in the amount of \$9,900 to provide professional services for program development and implementation of the 2020 MS4 General Permit. Ayes: all.

Public Hearing: Ordinance Updating the Definition of Watercraft and Amending the Slow-No Wake Restriction for Long Lake

City Clerk Moeller recalled that this item was the result of some conversations from a Council meeting in May, at which time staff had learned that the City's slow-no wake ordinance was no longer enforceable due to Orono inadvertently deleting their slow-no wake ordinance language that was pertinent to Long Lake as part of a code update. Staff took an opportunity to review the City's current language with the Council before taking the next step of following up with Orono to ask that they work towards putting slow-no wake provisions for Long Lake back into their code. Based on Council discussion and direction received in May, the proposed ordinance presented for the Council's consideration would update the definition of watercraft to be consistent with state statute, would increase the restriction's effective lake level from 945.0 feet to 945.25 feet, and would remove the three-day waiting period language.

Council member Joyce noted that the draft ordinance said 944.15, to be increased to 945.25, and asked if that was correct.

Moeller stated that she believes that may have been pulled from the online code and it is possible that the code update was missing that, so she will make sure that is updated. She clarified that the lake level increase should be from 945.0 to 945.25.

Council member Dyvik asked if the three-day waiting period could be taken as a separate item or if this was all or nothing on the two proposed changes.

Moeller noted that the draft ordinance was prepared based on the Council's direction to make the proposed changes, and the Council can amend the ordinance further if they would like.

Council member Dyvik commented that since the meeting where this was discussed back in May, he went to look at other lake restrictions and the three-day waiting period is not an uncommon thing to have.

Mayor Miner asked how they determine when the clock will begin for the waiting period.

Moeller reported that the determination of the waiting period has been consistently confusing for staff and had been an enforcement issue as well.

The Council discussed the proposed draft ordinance language and enforceability measures.

A motion was made by Miner, seconded by Feldmann, to open the public hearing. Ayes: all.

Judd Axelson, 1790 Martha Lane – Mr. Axelson stated that as one of the lakeshore owners on the west side of the lake, he wanted to come and show support for raising the lake level restriction by the three inches proposed. He shared that he has done research on wakes from boats and found that they do not have much of an impact compared to wakes from wind. He noted that he also found that there is no scientific evidence either way that clearly states one or the other is more damaging. He reiterated that he was in support of raising the lake level as proposed and added that he had spoken with a number of other lakeshore owners on the west side who also supported raising the lake level.

Jane Davidson, 1020 Old Long Lake Road – Ms. Davidson stated that she does not have any scientific evidence, but she could tell the Council that when the no wake restriction goes into effect, she, as a lake owner, breathes a sigh of relief. She stated that it is very clear to her that the level it is now needs to be enforced. She reflected that she has also been confused by the three-day waiting period, but explained that she felt that arbitrarily changing the lake level by three inches did not make a lot of sense to her because the level of water on her property is very dangerous when the lake level reaches the current no wake zone. She mentioned that she does not have rip rap and explained that she has done a lot of research on whether that is wise, and there are mixed results from her research. She noted that she probably has the only piece of land on the lake that has turtles that are laying eggs. She urged great caution in changing the lake level by three inches and making the slow-no wake language less restrictive, even though three inches doesn't sound like much.

There being no additional comments, a motion was made by Miner, seconded by Dyvik, to close the public hearing. Ayes: all.

Council member Dyvik reflected that in 2014, the City had a MnDNR hydrologist come to give his opinion on what the no wake level should be, and he had given a range of 945.0 to 945.5. The Council, at the time, chose the lower number. He stated that he did not think the three inch change will make much of a difference for the lakeshore owners, but will make a difference in how often the

lake is closed down. He indicated that he thinks adjusting the lake level to the middle of the range originally suggested by the MnDNR hydrologist is a responsible decision.

The Council discussed the draft ordinance language and potentially removing the three-day waiting period as proposed and just monitoring the situation on a day to day basis.

A motion was made by Dyvik, seconded by Kvale, to adopt Ordinance No. 2022-03 amending Chapter 40, Waterways, Article I. In General, Sec. 40-1, and Section 40-2 to update definitions of 'Watercraft' and to amend the slow-no wake restriction for Long Lake as presented, correcting references to 944.15 to read 945.0. Ayes: all.

Discuss Post-Work Session Direction to Staff Regarding Fire Department Matters

Mayor Miner gave a summarized explanation relating to Fire Department matters. He reported that the current Mayor of Orono and its City Council wish to create their own Fire Department, and as part of that, Orono's Mayor Walsh has asked Long Lake to give an answer on whether it wants to be the 'buyers' or the 'sellers' of Fire Station 1 at 340 Willow Drive N. Long Lake sent a response to Orono on June 10, 2022 stating that the City did wish to purchase Station 1, which led to a response from Orono Mayor Walsh on June 14, 2022 via e-mail asking the City to prepare a purchase agreement for the property. He indicated that the Council had discussed this during the work session, and City Attorney Thames and staff were given direction by Council to move ahead in preparation of a purchase agreement.

A motion was made by Miner, seconded by Joyce, to approve the purchase agreement as discussed in the June 21, 2022 Council Work Session meeting. Ayes: all.

OTHER BUSINESS

Bikes in Street Near Dexter Park – Council member Kvale noted that she walks down towards Dexter Park off of Orchard Lane and had noticed that there are frequently bikes laying on the pavement in the street in the area of the park. She added that she was unsure if people were just in a hurry or if it may be because there wasn't a spot to park the bikes. She asked if the Park Board could look at this issue and see if a bike rack was needed in this area. Moeller noted that the Park Board is meeting next week at Dexter Park so they can review this issue. Weske mentioned that he believed there were already bike racks available at Dexter Park.

Upcoming Meeting with Firefighters – Council member Dyvik sought clarification on when the Council would be meeting with the firefighters to discuss the Fire Department situation. Mayor Miner indicated that the meeting will take place on Monday, June 27, 2022. Moeller confirmed she would need to post a quorum notice for Council members to attend the meeting.

Tagged Trees Along Wayzata Boulevard – Council member Dyvik observed that it looks like some of the dead trees in the Wayzata Boulevard landscaped area that he had mentioned to Public Works Director Diercks have been tagged. Weske commented that he would check on the status of the trees because Public Works Director Diercks had mentioned that a few of the trees that were tagged were starting to turn green.

Archived Meeting Minutes – Council member Dyvik asked where the City has archived minutes that are earlier than 2018 and if they were available on the website. Moeller responded that she was unsure how far back the minutes were available on the website, but she has the minutes readily available and is always happy to provide them to whoever may need them.

Welcome to Visiting Family – Council member Dyvik recognized and welcomed his family members in the audience who were visiting from out of town, including his brother and sister-in-law from Norway, his brother from New York, and his nephew from Hawaii.

Rescheduling Meeting for Night to Unite - Mayor Miner recalled that the first Tuesday in August is 'Night to Unite' and suggested that the Council plan ahead and choose a different night for the Council meeting that is currently scheduled for that same night. Moeller stated that rescheduling that meeting will be placed on agenda for a July Council meeting.

Appreciation for Grass Seed Planting – Council member Joyce thanked the Public Works Department for putting down the grass seed along Wayzata Boulevard W and expressed her appreciation to Twin City Seed for their donation of additional seed.

Personal Note From City Clerk - Moeller expressed her appreciation to those that have checked on her and her family. She shared that her father is on the road to recovery and is doing really well.

ADJOURN

Hearing no objection, Mayor Miner adjourned the meeting by general consent at 7:38 pm.

Respectfully submitted,

Scott Weske
City Administrator